

1       “(1) the defendant was an agent of the carrier, acting in the  
2       usual course of his employment, who was engaged in:

3       “(A) service observing for mechanical or service quality  
4       control checks; or

5       “(B) any other activity necessarily incident to the ren-  
6       dition of service by the carrier or relating to the discovery  
7       of theft of the carrier's service; or

8       “(2) the defendant was acting in the usual course of his em-  
9       ployment and was engaged in supervisory service observing.

10      “(c) GRADING.—An offense described in this section is a Class E  
11      felony.

12      “(d) JURISDICTION.—There is federal jurisdiction over an offense  
13      described in this section if the private correspondence is mail.

14      “§ 1525. Revealing Private Information Submitted for a Govern-  
15      ment Purpose

16      “(a) OFFENSE.—A person is guilty of an offense if, in violation of  
17      a specific duty imposed upon him as a public servant or former public  
18      servant by a statute, or by a regulation, rule, or order issued pursuant  
19      thereto, he discloses information, to which he has or had access only  
20      in his capacity as a public servant, that had been provided to the  
21      government by another person, other than a public servant acting in  
22      his official capacity, solely in order to comply with:

23      “(1) a requirement of an application for a patent, copyright,  
24      license, employment, or benefit; or

25      “(2) a specific duty imposed by law upon such other person.

26      “(b) AFFIRMATIVE DEFENSE.—It is an affirmative defense to a prose-  
27      cution under this section that the disclosure was:

28      “(1) required pursuant to the Freedom of Information Act, as  
29      amended (5 U.S.C. 552) or the Privacy Act of 1974 (5 U.S.C.  
30      552a); or

31      “(2) a report of a violation or potential violation of law and  
32      was made to a law enforcement officer charged with investigating  
33      or prosecuting such violation.

34      “(c) GRADING.—An offense described in this section is a Class A  
35      misdemeanor.

36      “(d) JURISDICTION.—There is federal jurisdiction over an offense  
37      described in this section if the public servant or former public servant  
38      acquired the information as a federal public servant.